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Of Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**J.B.** Case No. 3:24-cv-01111

Plaintiff **COMPLAINT**

vs 28 U.S.C. § 1332

**HORIZON AIR** Jury Trial Requested  
**INDUSTRIES, INC.**

Defendant

1.

**JURISDICTION AND VENUE**

Jurisdiction is proper under 28 U.S.C. § 1332 because plaintiff is a citizen of California and Horizon Air is a citizen of Washington and the amount in controversy requirement is satisfied. Venue is proper under 28 U.S.C. § 1331 because a substantial part of the events giving rise to plaintiff's claim occurred in Multnomah County, Oregon.

2.

## FACTUAL ALLEGATIONS

In July 2023, plaintiff, a 23-year-old female, began working for Horizon Air as a flight attendant. Horizon Air is a wholly-owned subsidiary of the Alaska Air Group, a publicly traded corporation with a net worth over \$5 billion.

3.

Soon after starting her job with Horizon Air, plaintiff began experiencing sexual harassment in the workplace from Horizon Air's male pilots. From September 2023 to February 2024, two Horizon Air pilots repeatedly and severely sexually harassed plaintiff, treated plaintiff differently than similarly situated males, and targeted plaintiff for sexual harassment because plaintiff was female. For example, a married Horizon Air pilot, Mr. Barnett, would text plaintiff while flying with unwanted messages on inappropriate topics including masturbation, fellatio, and anilingus. *Exhibit 1.* On another occasion, a married Horizon Air pilot, Mr. Butler, lured plaintiff to his hotel room after a flight together and then subjected plaintiff to a sexual assault including unwanted kissing and touching before she was able to extricate herself and leave. *Exhibit 2.*

4.

In December 2023, plaintiff began reporting the sexual harassment to Horizon Air human resources but Horizon Air took no action to protect plaintiff and instead insinuated that plaintiff was at fault for allegedly encouraging the inappropriate behavior. The sexual harassment in the workplace continued for several more months, including the solicitation of nude photos from plaintiff, and ongoing pressure on plaintiff to have sex with Horizon Air pilots.

5.

In February 2024, plaintiff reported to Horizon Air that the ongoing hostile work environment was causing her panic attacks and trouble sleeping and requested to be switched to on-call for the remainder of the month. Horizon Air responded only to tell plaintiff that the schedule was based on seniority and that the matter was out of their hands. By March 2024, the sexual harassment had become so intense that plaintiff reported the behavior to the police and took a leave of absence until Horizon Air agreed to stop scheduling plaintiff as crew on the same flights as Mr. Butler. Upon information and belief, as of the date of this complaint, Mr. Butler continues to fly for Horizon Air.

*Exhibit 3.*

**6.**

When plaintiff again reported the hostile work environment to Horizon Air human resources at a lengthy in-person meeting, Horizon Air again attempted to blame plaintiff, despite the fact that plaintiff was a virgin who was saving herself for marriage and that she had repeatedly demanded Mr. Butler to stop.

**7.**

At all material times, pilots for Horizon Air held supervisor roles to flight attendants. For example, Horizon Air empowers pilots to exercise control over the selection of crews for flights, as well as the utmost authority to exercise control over flight attendants during flights.

**8.**

Horizon Air's acts and omissions as alleged in this complaint caused plaintiff noneconomic damages including stress, anxiety, frustration, and other harmful and negative emotional and psychological distress and harm, interfered with plaintiff's normal and usual life activities, in amounts to be determined by the jury. As alleged in this complaint, Horizon Air acted with malice or has shown a reckless and outrageous indifference to a highly unreasonable risk of harm and has acted with a conscious indifference to the health, safety and welfare of others.

**9.**

**CLAIM FOR RELIEF**

**— ORS 659A.885 —**

Horizon Air's acts and omissions as alleged in this complaint failed to comply with ORS 659A.030 by discriminating against plaintiff based on her sex and constructively discharging her, and by subjecting her to a sexually hostile work environment because she was female. Plaintiff was subjected to a sexually hostile work environment by individuals empowered by Horizon Air to take tangible actions against her, or at a minimum, Horizon Air knew or should have known of the harassment and failed to take prompt, effective remedial action reasonably calculated to end the harassment. As alleged in this complaint, plaintiff's working conditions deteriorated as a result of sex discrimination and harassment to the point that they became sufficiently extraordinary and egregious to overcome the normal motivation of a competent, diligent, and reasonable person to remain on the job. These working conditions were so intolerable and pervasive and severe that a reasonable person in plaintiff's position would have resigned because of them, and plaintiff did in fact take a leave of absence because of them.

**10.**

Horizon Air knew and should have known that plaintiff was substantially certain to leave her position as a result of its hostile work environment. Under ORS 659A.885, plaintiff requests fair compensation for non-economic damages and punitive damages in amounts to be determined by the jury to be reasonable, and attorney fees and costs and disbursements, and an injunction stopping Horizon Air from engaging in the unlawful practices giving rise to this complaint. The total amount of punitive damages allowed by the jury cannot exceed \$50 million or 1% of Alaska Air Group's net worth, whichever is less.

**11.**

**REQUEST FOR JURY TRIAL**

Plaintiff respectfully requests a trial by jury.

**12.**

**PRAYER**

Plaintiff seeks relief against Horizon Air as requested above, an order permitting plaintiff to proceed under pseudonym, and for any other relief this Court may determine is fair. Plaintiff reserves the right to amend this complaint to adjust the claims for damages and to add claims and additional defendants. Some of the complaint's allegations are based in part on the memory of witnesses, which may later prove to be inaccurate in parts, and so the complaint may later be amended before trial to conform the allegations to the evidence obtained throughout the case. This complaint is made on personal knowledge as to plaintiff's actions and based on information and belief as to the actions of others.

July 8, 2024

**RESPECTFULLY FILED,**

/s/ Michael Fuller  
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